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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,277	08/20/2001	Jennifer A. Jacobi	AMAZON.072A	4640

20995 7590 12/16/2005

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EXAMINER

LANEAU, RONALD

ART UNIT PAPER NUMBER

3627

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/933,277

Applicant(s)

JACOBI ET AL.

Examiner

Ronald Laneau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 09132005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. In view of the Appeal Brief filed on 09/30/05, prosecution is HEREBY reopened.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knorr et al (US 2002/0077929 A1 in view of Covington (US 2003/0154135 A1) and further in view of Westrope et al (US 5,721,832).

Knorr discloses an electronic catalog system (online catalog), comprising: an electronic catalog (online catalog) of items that are available for purchase, that include descriptions of the items, and electronic catalog including pages providing functionality for online users to select items to purchase (see abstract); a wish list application that provides functionality for users of the electronic catalog to create wish lists with items selected from the electronic catalog, and to purchase items as gifts from the wish lists of other users (page 1, [0006]); a database 210 which stores information about affiliations between the users (fig. 4). Knorr does not explicitly disclose determining whether the first item is on an electronic wish list of a user who is affiliated with the first user, and (b) when the first item is determined to be on an electronic wish list of a second user who is affiliated with the first user.

Covington discloses a system that is capable of determining whether the first item is on an electronic wish list of a user who is affiliated with the first user, and (b) when the first item is determined to be on an electronic wish list of a second user who is affiliated with the first user by searching the profile store in the central database, a notification component which is responsive, to an online request from a first user for a catalog page which includes a description of a first item, and whereby users are notified, during browsing of the electronic catalog, when accessed items are on the electronic wish lists other users (page 2, [0013] – [0015]). Fig. 22a-b describe what happens when a user wishes to create an access mechanism, such as an ACL, that allows specified buyers to be notified about, and have access to, one or more of the user's wish lists (block 598). The user, in block 600, views a previously created wish list. The system proceeds from block 600 (or block 364) to block 602, where the system determines whether the user wishes to remove or add a wish list buyer (affiliated user) to, for example the user's access control list (ACL). If the user wishes to remove a buyer, the system removes the selected buyer from the ACL corresponding to the wish list selected by the user so that the removed buyer cannot access the selected wish list. The user then updates the user's personal list of ACL members, which resides on the user's ACL database 606. If the user wishes to add a buyer, the system proceeds from block 602 (or block 348) to block 608 where the system determines whether the buyer entered by the user is within the user's ACL. If not, the system searches the shopping operating system (SOS) member directory, residing on the SOS ACL database 612, for the entered buyer (block 610) (page 11, [0132]).

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Neither Knorr nor Covington discloses an electronic catalog with an audible messaging system but Westrope et al discloses a central data processor system for storing and indexing electronic catalog data, including graphic and audio message data (col. 2, lines 43-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize wish list disclosure as taught by Covington into the system of Knorr because it would provide a system that allows buyers to easily shop for others by searching for a user's wish list and personal preferences at the system Web and also allow the user to select one or more buyers from an address book and notify the selected buyers of a specific wish list. And it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the audible messaging system as taught by Westrope into the combined systems of Covington and Wolfe because it would provide a catalog process and system which provides efficient product and service selectivity to prospective customers and which selectively generates market profile data of user/customer (col. 2, lines 5-8).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Shah (US 2003/0233283 A1) discloses a wish list associated with buddy list screen name.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

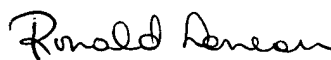
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Applicant's arguments are directed to Wolfe and this reference has been replaced by a new reference (Covington) that teaches the missing elements that Applicant argues about. As a result, claims 1-35 remain rejected.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (571) 272-6784. The examiner can normally be reached on Mon-Fri from 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ronald Laneau  
Examiner  
Art Unit 3627

12/10/05

rl